
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

EVERETT CAMERON DIAZ,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

ORDER DENYING CERTIFICATE OF
APPEALABILITY

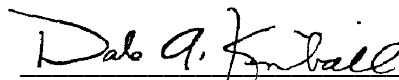
Case No. 2:25CV00058 DAK

Judge Dale A. Kimball

Mr. Diaz has filed a Motion for a Certificate of Appealability. Under 28 U.S.C. § 2253, a certificate of appealability "may issue . . . only if the applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2); *United States v. Silva*, 430 F.3d 1096, 1100 (10th Cir. 2005) (quoting 28 U.S.C. § 2253(c)(2)). The court finds that reasonable jurists could not debate whether the petition should have been resolved in a different manner or that the issues presented were adequate to deserve encouragement to proceed further." *See Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003)). Therefore, the court concludes that Mr. Diaz has not made a substantial showing of the denial of a constitutional right and therefore declines to issue a Certificate of Appealability.

DATED this 29th day of April 2025.

BY THE COURT:



DALE A. KIMBALL

United States District Judge